IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

TUESDAY, THE 11TH DECEMBER 2007 / 20TH AGRAHAYANA 1929

WP(C).No. 36556 of 2007(B)

PETITIONER:

JOBY JOSE, AGED 36 YEARS, S/O. JOSE,
ATTOOKARAN HOUSE, NEELESWARAM P.O.,
KALADY, ERNAKULAM.

BY ADV. SRI.DINESH MATHEW J.MURICKEN

RESPONDENTS:

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1. THE DISTRICT COLLECTOR,
ERNAKULAM.

2. MALAYATTOOR NEELESWARAM PANCHAYATH,
REPRESENTED BY ITS SECRETARY.

3. THE SUB INSPECTOR OF POLICE,
KALADY.

BY GOVT. PLEADER SRI BENJAMIN PAUL

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 11/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.

W.P.(C) 36556 of 2007

Dated: December 11, 2007

JUDGMENT

Petitioner, against whom proceedings are pending under the Kerala Protection of River Banks and Regulation of Removal of Sand Act and Rules, has filed this writ petition praying for a direction to the 1st respondent to consider Ext.P4 application before final orders under Rule 27 of the Rules is passed.

2. By Ext.P4 the request made is for the release of the vehicle. Now that proceedings are pending before the District Collector, he has to finalise the proceedings within the time fixed in Rule 27. It will also be open to the 1st respondent to take into account Ext.P4 as well and decide as to whether the lorry should be released temporarily to the petitioner.

Writ petition is disposed of as above.

ANTONY DOMINIC, JUDGE

mt/-